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28 March 1984

MEMORANDUM FOR: Executive Director

FROM: George V. Lauder  
Director, Public Affairs

SUBJECT: Director's Concern Regarding Intelligence  
Leaks and Counterterrorism Capabilities

REFERENCE: DCI's memo, this subject, dated 23 March 1984

1. If a new effort to stem leaks is to have any effect, we must first nail someone, or several people, under the Identities Act. It is the old story of hitting the donkey over the head with a two by four in order to get its attention. Efforts to educate people with access to classified information regarding the need to protect that information will only be effective after somebody has been prosecuted and convicted for leaking such data.

2. In order to prosecute successfully we have to get Justice's attention and cooperation. Since neither we nor the Congress have been very successful in that regard, perhaps we need to wheel the President himself, with the parallel cooperation of Congressional leaders, into the act to tell Justice to make a case, a good case, and see it all the way through. Stan Sporkin may have hit on the right avenue for proceeding, i.e., a special prosecutor or investigator. I recommend retired Supreme Court Justice Potter Stewart as the right person to head such an inquiry. He has the right national stature, integrity and attitude. When he was on the PBS series "the Media and National Security", he said "there is nothing in the Constitution about the public's right to know."

3. Then we need to go for legislation for criminal sanctions for unauthorized disclosures of classified information. Other than the Espionage and Identities Acts, Comint law, and firing people, there are no enforceable penalties for leaks that I know of. People feel free to leak since they are risking little.

4. Resources in the Intelligence Community agencies, especially Defense, State and the FBI, are woefully inadequate to cope with the number and difficulty in investigating the spate of leaks which have been occurring. Their resources should be greatly augmented and devoted exclusively to pursuing leak investigations.

5. Defense and State and the Oversight Committees should develop educational programs and reports to promote understanding among their officials as to the truly damaging effects leaks can have on very important

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national security programs. We keep seeing in the press that, according to Congressional testimony, leaks aren't a problem. Six identified leaks were reported during the year, etc., etc. We need to get the story out through the Oversight Committees, if possible, about the true figures and that the damage caused is clearly serious.

6. Last, we need to continue our efforts to educate the media regarding the need to protect sources and methods (I have worked hard on this and with some success) and to educate the other Public Affairs Officers in the Community to emulate the Agency's efforts to better control media contacts with their officers and other employees.

[Redacted Signature]

Georgé V. Lauder

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